



INDIANA STATE DEPARTMENT OF HEALTH

Solicitation For:

WIC Formula Cost Containment System

Response Due Date: February 2, 2015 11:00 AM ET

Alisha Borcharding, Procurement Manager
Indiana State Department of Health
Procurement Division
2 N. Meridian St., 2C
Indianapolis, IN 46204

SECTION ONE

GENERAL INFORMATION AND REQUESTED PRODUCTS/SERVICES

1.1 INTRODUCTION

In accordance with Indiana statute, including IC 5-22-7, the Indiana State Department of Health (ISDH), requires an infant formula cost-containment system for the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC). It is the intent of ISDH to solicit responses to this Competitive Bid Solicitation in accordance with the statement of work, bid preparation section, and specifications contained in this document. This Bid Solicitation is being posted to the Indiana Department of Administration (IDOA) website (<http://www.IN.gov/cgi-bin/idoa/cgi-bin/bidad.pl>) for downloading. Neither this Bid Solicitation nor any response (bid) submitted hereto are to be construed as a legal offer.

1.2 DEFINITIONS AND ABBREVIATIONS

Following are explanations of terms and abbreviations appearing throughout this Bid Solicitation. Other special terms may be used in the Bid Solicitation, but they are more localized and defined where they appear, rather than in the following list. To ensure proper understanding of requirements, correct terms are used throughout the solicitation and contract for the following: infant formula, exempt infant formula, contract brand infant formula, non-contract brand infant formula, and primary contract brand infant formula (§ 246.2).

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| IAC | The Indiana Administrative Code. |
| IC | The Indiana Code. |
| ISDH | Indiana State Department of Health. |
| Contract Brand Infant Formula | Infant formula (not including exempt) produced by the manufacturer awarded the infant formula cost containment contract. |
| Electronic Benefit Transfer (EBT) | The issuance of WIC benefits to participants electronically via a card. |
| Exempt Infant Formula | Infant formula that meets the requirements for an exempt infant formula under section 412(h) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 350a(h)) and the regulations at 21 CFR parts 106 and 107 (7 CFR 246.2). |
| Federal Fiscal Year | The fiscal year is defined as October 1 through September 30. |
| Food Package | Supplement food prescribed for participant profile. |

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| FI | Food Instruments are WIC checks. |
| Full Time Equivalent (FTE) | The State defines FTE as a measurement of an employee's productivity on a specific project or contract. An FTE of 1 would mean that there is one worker fully engaged on a project. If there are two employees each spending 1/2 of their working time on a project that would also equal 1 FTE. |
| Implementation | The successful implementation of an infant formula cost-containment system at the Indiana Government Center as specified in the contract resulting from this Bid Solicitation. |
| Indiana WIC Program | The ISDH WIC federally funded program. |
| Infant Formula | Any formula in the manufacturer's product line that: 1) complies with the Infant Formula Act of 1980 as amended which defines "infant formula" as "a food which purports to be or is represented for special dietary use solely as a food for infants by reason of its simulation of human milk or its suitability as a complete or partial substitute for human milk"; and 2) complies with the definition and requirements for "infant formula" under the Federal Food, Drug, and Cosmetic Act including [Sections 201(z) and 412 of Act, 21 U.S.C. 321(z) and 350a respectively], excluding "exempt infant formulas, [Section 412(h) of the Act 21 U.S.C 350a(h)], and with all applicable Food and Drug Administration (FDA), Department of Health and Human Services regulations pursuant to the Act, and the regulation at 21 U.S.C. Part 106 and 107. |
| Installation | The delivery and physical setup of products or services requested in this Bid Solicitation. |
| Other Governmental Body | An agency, a board, a branch, a bureau, a commission, a council, a department, an institution, an office, or another establishment of any of the following: (1) The judicial branch. (2) The legislative branch. (3) A political subdivision (includes towns, cities, local governments, etc.) (4) A state educational institution |
| Partially-redeemed Food Instrument | A paper food instrument which is redeemed for less than all of the supplemental foods authorized for that food instrument (§246.2). |
| Participant | An individual receiving WIC services. |

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| Products | Tangible goods or manufactured items as specified in this Bid Solicitation. |
| Primary Contract Infant Formula | The specific infant formula for which manufacturers submit a bid to a State agency in response to a rebate solicitation and for which a contract is awarded by the State agency as a result of the bid (7 CFR 246.2). |
| Bid | An offer as defined in IC 5-22-2-17. |
| Redemption | The Indiana WIC Program defines redemption as the date the FI is redeemed by the participant at retail. |
| Respondent | An offeror as defined in IC 5-22-2-18. The State will not consider a bid responsive if two or more offerors submit a joint or combined bid. One entity or individual must be clearly identified as the Respondent who will be ultimately responsible for performance of the contract. |
| Retail Food Delivery System | Indiana WIC authorized grocery stores and pharmacies that redeem WIC checks and cash – value - vouchers for food purchased by WIC participants. |
| RTU | Ready - to - use. |
| RTF | Ready - to - feed. |
| Services | Work to be performed as specified in this Bid Solicitation. |
| State | The State of Indiana. |
| State Agency | As defined in IC 4-13-1, “state agency” means an authority, board, branch, commission, committee, department, division, or other instrumentality of the executive, including the administrative, department of state government. |
| USDA | United States Department of Agriculture. |
| WIC | The Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) authorized by section 17 of the Child Nutrition Act of 1966 and reauthorized by the Healthy, Hunger – Free Kids Act of 2010 (Public Law 111-296). |
| WIC Vendor | Stores authorized by the State agency to provide authorized supplemental foods to participants under a retail food delivery system. |

1.3 PURPOSE OF THE BID SOLICITATION

Indiana solicits (single) sealed bids from infant formula manufacturers to supply and provide a rebate on all infant formulas it produces that the State chooses to issue, except exempt infant formulas (§246.16a(c)(1)). The State evaluates rebates for all physical forms (concentrated liquid, powder, and ready-to feed (RTF)), of a milk-based that meets the requirements under §246.10(e)(1)(iii)7(2)(iii), and is suitable for the routine issuance to the majority of generally healthy, full term infants (§246a(c)(4)(i)&(ii)). Therefore, the purpose of this Bid Solicitation is to select a Respondent that can satisfy the State's need for an infant formula cost-containment system. The Indiana WIC program issues infant formula in accordance with §246.10(e) (1)-(3), (9). It is the intent of the Indiana State Department of Health (ISDH) to contract with an authorized infant formula manufacturer who can provide a rebate on its product line of iron - fortified milk - based and soy - based liquid concentrate, powdered, and ready - to - use (RTU) or ready - to - feed (RTF) infant formula purchased by the Indiana WIC Program through the program's retail food delivery system. The State Agency will, if necessary to provide the full nutritional benefit, use the methodology outlined in §246.10(h) when issuing infant formula.

Procurement of the infant formula cost containment contract maximizes full and open competition and does not contain provisions that prevent a manufacturer from competing for the contract (§246.16a(c)).

1.4 SUMMARY SCOPE OF WORK

The Indiana WIC Program is funded by the United States Department of Agriculture (USDA) and is administered by ISDH. During the 2013 federal fiscal year, the Indiana WIC Program served approximately 270,732 unduplicated participants or 159,525 participants per month. Thirty (30) percent of current participants are women. Thirty – one (31) percent of current participants are infants. And, thirty – nine (39) percent are children. During the 2013 federal fiscal year, 46,087 infants were exclusively breastfed and 4,415 were prescribed exempt infant formula.

During federal fiscal year 2013, the Indiana WIC Program provided approximately four (4) million containers of infant formula to Indiana WIC participants through prescribed food packages which are redeemed through the Indiana WIC Program's retail food delivery system. The total rebate provided to the Indiana WIC Program through its infant formula cost - containment program for federal fiscal year 2013 was approximately \$38 million. The Indiana WIC Program participation and infant formula data does not necessarily reflect actual issuance and redemption that will occur under the new contract (§246.16a(c)(6)).

The Indiana WIC Program is seeking an infant formula cost-containment system that will produce the maximum savings and therefore allow the greatest number of Indiana WIC participants to benefit from program services. Respondent will supply the infant formula and provide a rebate per container of any infant formula in its product line (excluding exempt infant formula) that the Indiana WIC Program chooses to include in its food

package.

The Indiana WIC Program currently utilizes a management information system that creates and manages WIC participant files, generates checks for use by participants to obtain infant formula and is used by Program staff to produce monthly infant formula reports that track the redemption of checks. Local agencies such as local health departments, hospitals, or not-for-profit entities are awarded contracts to sponsor local WIC clinic services. Local WIC clinic staff may issue up to three (3) months' worth of checks. Infant Formula product name, size, and product form of the Contractor's formula are printed on the face of the check. The management information system (MIS) ensures the Program has a system that provides a reasonable accounting of containers redeemed by participants §246.16a(k). The MIS tracks the number of checks redeemed during a given month for the Contractor's brands printed on checks.

The Indiana WIC Program intends for the Respondent to pay rebates only on containers of infant formula actually purchased. Payment to ISDH shall be based on the number of checks redeemed during a given month for the Contractor's brands printed on the checks, multiplied by the number of containers designated on each check. Please see Attachment E: Infant Formula Rebate Invoice Report.

In order to adjust for checks that may have been redeemed for less than the full number of containers designated on them (partially – redeemed food instruments), the Indiana WIC Program will make an adjustment to each monthly invoice. The methodology used to adjust for partially - redeemed food instruments are currently determined by the Program and Contractor.

The Program subtracts a percentage for partial redemption from the issue month, thirty-day month, and close-out month listed in the total rebate invoice report that is provided monthly to the Contractor. The partial redemption factor is developed by the Contractor and is reviewed semiannually to include invoices from October through March and then again for April through September. Once the partial redemption factor is reset, the Program balances with the Contractor by paying the difference owed or receiving payment from the Contractor. This is done through adjustments made to the invoice report.

The process and calculation used to determine the partial redemption factor is as follows: The Program provides authorized containers redeemed and unadjusted dollars in the monthly invoice rebate report. The Contractor provides the average vendor price which is often 90% of the Nielsen price. The Contractor completes the following equation for each food instrument: Unadjusted dollars is divided by the average vendor price per container to equal calculated containers redeemed. Calculated containers redeemed is rounded to the nearest whole container. Authorized containers redeemed minus calculated containers redeemed is equal to the number of partial containers billed. The number of partial containers billed is multiplied by the contract rebate price per container to equal dollars of partial containers billed.

The dollars of partial containers billed is totaled for all food instruments and divided by the total unadjusted dollars to equal the partial redemption factor. This process is repeated every six months. The average partial redemption factor is determined for the six month time period. The current partial redemption factor is 0.20%.

The partial redemption factor methodology will be utilized until which time Indiana fully implements EBT and all validly issued checks are redeemed. Indiana anticipates piloting EBT in early 2016 and completing statewide rollout by the end of 2016. However, any checks issued before statewide EBT rollout is complete could be redeemed for as many as three months after that date.

Except for the primary contract infant formula, the Indiana WIC Program provides no guarantee of the quantity, type, or physical forms that will be used under a new contract. The Primary Contract Infant Formula will be the formula of first choice for issuance to infants with all other formula issued as an alternative to the primary contract infant formula (§246.16a(c)(8) & 246.10(e)(1)(iii)). The State allows for the purchase of non-contract brands of infant formula with medical documentation (§246.10(d)(1)(i)) & (§246.16a(c)(9)).

1.5 Competitive Bid OUTLINE

The outline of this Bid document is described below:

| Section | Description |
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| Section 1 – General Information and Requested Products or Services | This section provides an overview of the Bid, general timelines for the process, and a summary of the products/services being solicited by the State/Agency via this Bid |
| Section 2 – Bid Preparation Instruction | This section provides instructions on the format and content of the Bid including Technical Proposal and a Cost Proposal |
| Section 3 – Bid Evaluation Criteria | This section discusses the evaluation criteria to be used to evaluate respondents' bids |
| Attachment A | Scope of Work |
| Attachment B | Primary Contract Infant Formula Rebate Bid Sheet |
| Attachment C | Federal Procurement Clauses |
| Attachment D | Sample Contract |
| Attachment E | 2014 Infant Formula Rebate Invoice Report |

1.6 QUESTION/INQUIRY PROCESS

All questions/inquiries regarding this Bid Solicitation must be submitted in writing by the deadline of **3:00 p.m. Eastern Time on December 15, 2014**. Questions/Inquiries may be submitted by email at inwic@isdh.in.gov and must be received by the Program by the time and date indicated above.

Following the question/inquiry due date, the Program will compile a list of the questions/inquiries submitted by all Respondents. The responses will be posted to the IDOA website according to the Bid Solicitation timetable established in Section 1.17. The question/inquiry and answer link will become active after responses to all questions have been compiled. Only answers posted on the IDOA website will be considered official and valid by the State. No Respondent shall rely upon, take any action, or make any decision based upon any verbal communication with any State employee.

Inquiries are to be directed only to Pam Hartman, ISDH Accounts Payable and Purchasing Manager, by email at phartman@isdh.in.gov. Contacting ISDH WIC staff may disqualify Respondent from further consideration for a contract resulting from this Bid Solicitation.

If it becomes necessary to revise any part of this Bid Solicitation, or if additional information is necessary for a clearer interpretation of provisions of this Bid Solicitation prior to the due date for bids, an addendum will be posted on the IDOA website. If such addenda issuance is necessary, the Procurement Division may extend the due date and time of bids to accommodate such additional information requirements, if required.

1.7 DUE DATE FOR BIDS

All bids must be received at the address below by the Procurement Division no later than **11:00 a.m. Eastern Time on February 2, 2015**. Each Respondent must submit **one original hard-copy** (marked "Original") and **one original CD-ROM** including all related documentation as required in this Bid Solicitation. The **original** CD-ROM will be considered the official response in evaluating responses for scoring and protest resolution. **The respondent's bid response on this CD may be posted on the IDOA website, (<http://www.in.gov/idoa/2462.htm>) if recommended for selection.** Each copy of the bid must follow the format indicated in Section Two of this document. Unnecessarily elaborate brochures or other presentations, beyond those necessary to present a complete and effective bid, are not desired. All bids must be addressed to:

Indiana State Department of Health
Procurement Division
2 N. Meridian St., 2C
Indianapolis, IN 46204

If you hand-deliver solicitation responses:

Respondents wishing to hand-deliver their solicitation response will need to check in at the front desk of the Indiana State Department of Health and ask for Alisha Borcharding, Procurement Manager, or Dana Wright, Buyer. Please be sure to take this information into consideration if your company plans to submit a solicitation response in person.

If you ship or mail solicitation responses: United States Postal Express and Certified Mail are both delivered to the Government Center Central Mailroom, and not directly to the Procurement Division. It is the responsibility of the Respondent to make sure that solicitation responses are received by the Procurement Division at the Indiana State Department of Health's reception desk on or before the designated time and date. Late submissions will not be accepted. The Indiana State Department of Health, Procurement Division clock is the official time for all solicitation submissions.

All bid packages must be clearly marked with the Bid number, due date, and time due. Any bid received by the Indiana State Department of Health, Procurement Division after the due date and time will not be considered. Any late bids will be returned, unopened, to the Respondent upon request. All rejected bids not claimed within 30 days of the bid due date will be destroyed.

No more than one bid per Respondent may be submitted.

The State accepts no obligations for costs incurred by Respondents in anticipation of being awarded a contract.

All bids submitted to the State should be double-sided and printed on 30% post-consumer recycled content paper or tree-free paper. When possible, soy ink should be used.

In accordance with the Healthy, Hunger – Free Kids Act of 2010 (Public Law 111-296), all Bids will be read aloud beginning at 11:15 a.m. Eastern Time on February 2, 2015. The Bids will be read aloud in the Indiana State Department of Health, Rice Auditorium (§246.16a(c)(1)(ii)).

1.8 PRICING

The contract will be awarded to the responsive and responsible bidder offering the lowest total monthly net price for a standardized number of units of infant formula. (§246.16a(c)(4)(ii)).

1.9 CONTRACT DISCUSSIONS

A sample contract is provided in Attachment D. Any requested changes to the sample contract must be submitted with your response. The State reserves the right to reject any of these requested changes. It is the State's expectation that any material elements of the contract will be substantially finalized prior to contract award.

1.10 TYPE AND TERM OF CONTRACT

The State intends to sign a contract with one Respondent to fulfill the requirements in this Bid Solicitation.

The term of the contract shall be for a period of two (2) years from the date of contract execution. There may be two (2) one year renewals for a total of four (4) years at the State's option. Contract terms may not be negotiated with respect to the following: (a) Length or number of extension periods, and (b) rebate amounts that will apply to the contract and any extension period (s), or the method by which the rebates will be calculated may not be negotiated (USDA Policy Memo 94-6).

1.11 CONFIDENTIAL INFORMATION

Respondents are advised that materials contained in proposals are subject to the Access to Public Records Act (APRA), IC 5-14-3 *et seq.*, and, after the contract award, the entire Bid file may be viewed and copied by any member of the public, including news agencies and competitors. Respondents claiming a statutory exception to the APRA must place all confidential documents (including the requisite number of copies) in a sealed envelope clearly marked "Confidential" and must indicate on the outside of that envelope that confidential materials are included. The Respondent must also specify which statutory exception of APRA that applies. The State reserves the right to make determinations of confidentiality. If the Respondent does not identify the statutory exception, the Procurement Division will not consider the submission confidential. If the State does not agree that the information designated is confidential under one of the disclosure exceptions to APRA, it may seek the opinion of the Public Access Counselor. Prices are not confidential information.

1.12 TAXES

Bids should not include any tax from which the State is exempt.

1.13 PROCUREMENT DIVISION REGISTRATION

In order to receive an award, you must be registered as a bidder with the Department of Administration, Procurement Division. Therefore, to ensure there is no delay in the award all Respondents are strongly encouraged to register prior to submission of their bid. Respondents should go to www.in.gov/idoa/2464.htm.

1.14 SECRETARY OF STATE REGISTRATION

If awarded the contract, the Respondent will be required to register, and be in good standing, with the Secretary of State. The registration requirement is applicable to all limited liability partnerships, limited partnerships, corporations, S-corporations, nonprofit corporations and limited liability companies. Information concerning registration with

the Secretary of State may be obtained by contacting:

Secretary of State of Indiana
Corporation Division
402 West Washington Street, E018
Indianapolis, IN 46204
(317) 232-6576
www.in.gov/sos

1.15 COMPLIANCE CERTIFICATION

By submitting a response to this Bid Solicitation, Respondent represents that it has no current or outstanding criminal, civil, or enforcement actions initiated by the State, and it agrees that it will immediately notify the State of any such actions. The Respondent also certifies that neither it nor its principals are presently in arrears in payment of its taxes, permit fees or other statutory, regulatory or judicially required payments to the State. The Respondent agrees that the State may confirm, at any time, that no such liabilities exist, and, if such liabilities are discovered, that State may bar the Respondent from contracting with the State, cancel existing contracts, withhold payments to set off such obligations, and withhold further payments or purchases until the entity is current in its payments on its liability to the State and has submitted proof of such payment to the State.

1.16 AMERICANS WITH DISABILITIES ACT

The Respondent specifically agrees to comply with the provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 *et seq.* and 47 U.S.C. 225).

1.17 SUMMARY OF MILESTONES

The following timeline is only an illustration of the Competitive Bid process. The dates associated with each step are not to be considered binding. Due to the unpredictable nature of the evaluation period, these dates are commonly subject to change. At the conclusion of the evaluation process, all Respondents will be informed of the evaluation team's findings.

Key Competitive Bid Dates:

| Activity | Date |
|---------------------------------------|-------------------|
| Issue of Competitive Bid Solicitation | November 3, 2014 |
| Deadline to Submit Written Questions | December 15, 2014 |
| Response to Written Questions | January 15, 2015 |

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| Submission of Bids | February 2, 2015 |
| <i>The dates for the following activities are target dates only. These activities may be completed earlier or later than the date shown.</i> | |
| Bid Evaluation | February 2, 2015 |
| Contract Award | April 2, 2015 |
| Contract Effective Date | April 2, 2015 through September 30, 2016 |

SECTION TWO PROPOSAL PREPARATION INSTRUCTIONS

2.1 GENERAL

To facilitate the timely evaluation of proposals, a standard format for proposal submission has been developed and is described in this section. All Respondents are required to format their bids in a manner consistent with the guidelines described below:

- Each item must be addressed in the Respondent's bid.
- The technical proposal must be organized under the specific section titles as listed below.

2.2 TECHNICAL PROPOSAL

All technical requirements are evaluated objectively using yes/no, or pass/fail criteria (§246.16a(c)(1)) & (c)(5)).

The Technical Proposal must be divided into the sections as described below. Every point made in each section must be addressed in the order given. The same outline numbers must be used in the response. Bid Solicitation language should not be repeated within the response. Where appropriate, supporting documentation may be referenced by a page and paragraph number. However, when this is done, the body of the technical proposal must contain a meaningful summary of the referenced material. The referenced document must be included as an appendix to the technical proposal with referenced sections clearly marked. If there are multiple references or multiple documents, these must be listed and organized for ease of use by the State.

- 2.2.1 The Respondent must provide evidence that it is registered with the Secretary of Health and Human Services under the Federal Food, Drug, and Cosmetic Act and its products are in compliance with federal regulations issued pursuant to P.L.100 – 137(§246.10(g)). Evidence shall be provided through the inclusion of a certification form in the Proposal. Attachment B: Primary Contract Infant Formula Rebate Bid Sheet must be used as the required certification form.
- 2.2.2 The Respondent must describe its current Indiana distribution network and the strategies and tactics that will be taken to accomplish the level of distribution needed to serve Indiana WIC's infant population. Details must include a list of wholesale distributors including mailing address, list of warehouses per distributors, phone number, email address, and point of contact.

- 2.2.3 The Respondent must describe its ability to fulfill the Scope of Work outlined in Attachment A: Scope of Work. The Scope of Work outlined in Attachment A will be part of the awarded contract.
- 2.2.4 The Respondent's current nationally published wholesale price list(s) effective on the day of the Competitive Bid release for each type and form of infant formula in its product line must be included in the Proposal. The Respondent must include narrative information about each product including efficacy, container size, container description, side effects, and product recalls. The Respondent must provide a comparison list of most recent name that includes brand names and ounces.
- 2.2.5 The Respondent must subcontract with another manufacturer to supply soy-based infant formula if the Respondent does not produce it (§246.16a(c)(2)(i)).

2.3 COST PROPOSAL

The Offer will be made to a Respondent who has provided a responsive and responsible proposal offering the lowest total monthly net price for infant formula.

- 2.3.1 An infant formula rebate worksheet must be submitted with the Proposal. Attachment B: Primary Contract Infant Formula Rebate Bid Sheet is the worksheet that must be followed. The worksheet must include the Respondent's current lowest national wholesale full truckload price, rebate amount, and net price for each standardized number of ounces per infant formula form. The forms include milk - based liquid concentrate (13.0 ounce (oz) or 12.1 oz containers), powder (12 oz or 13 oz containers), and RTU or RTF (32 oz or 33.8 oz containers) infant formula and is in accordance with §246.10(e)(1)-(3),(9) and §246.16a(c)(1)(i). The standardized number of ounces provides the total amount of ounces by physical form needed to give the maximum allowance to the average monthly number of infants using each form. The rebate per container amount shall be the contractual rebate amount applied to the volume of purchases ISDH invoices the Contractor.
- 2.3.2 The Respondent must provide a rebate on all forms of infant formulas (including any new infant formulas) produced that the Indiana WIC Program chooses to issue except exempt infant formula §246.16a(c)(2)(i).
- 2.3.3 The Respondent will provide a rebate on all contract brand infant formulas (excluding the primary contract infant formula) that yields the same percentage discount as the corresponding physical form of the primary contract infant formula for which bids were solicited. That is, the discount established at the beginning of the contract (by physical form), is used to calculate the rebate for infant formula (new and existing) added to the

contract subsequent to the initiation of the contract. The rebate for infant formula added after the start date (new and existing) will be calculated using the wholesale price of the formula at the time the formula is approved for issuance by the state agency (§246.16a(c)(6)(i – iii)).

- 2.3.4 Price level increases and decreases in the successful Respondent's lowest national wholesale full truckload price per unit occurring after the Proposal has been received and before the Contract effective date will result in an automatic rebate increase or decrease on a cent - for - cent basis on the first day of the month in which the increase or decrease has occurred and to apply to all Indiana WIC infant formula containers redeemed in the month of the increase (§246.16a(c)(7)(iv)). The Respondent must notify the Indiana WIC Program in writing of any price increase no later than the retailer's notification date.

SECTION THREE PROPOSAL EVALUATION

3.1 BID EVALUATION PROCEDURE

The procedure for evaluating the proposals against the evaluation criteria will be as follows:

- 3.1.1 Each bid's Technical Proposal will be evaluated on a pass/fail basis for adherence to the mandatory contract terms, and for providing the pertinent data demonstrating the Respondent's qualifications and capabilities to perform the services requested in the Bid Solicitation. Proposals that are incomplete or otherwise do not conform to proposal submission requirements may be eliminated from consideration.
- 3.1.2 The proposals that meet all mandatory requirements as provided in the Bid Solicitation will then be evaluated based on the "total monthly net cost" calculated in Attachment B. Whichever bidder meets the mandatory requirements and has the lowest "total monthly net price", will be awarded the contract.